



**Nursing Care Quality Assurance Commission (NCQAC)
Minutes
March 9, 2007
Hilton Garden Inn
9015 West SR Highway 2
Spokane, Wa 99224**

Commission Members present:

Judith D. Personett, EdD, Certified Nurse,
Administrator Advanced (CNAA), RN, Chair
Susan Wong, MBA, MPA, RN, Vice-Chair
Linda Batch, LPN
Erica Benson-Hallock, MPPA, Public Member
Richard Cooley, LPN
William Hagens, MA, Public Member
Rev. Ezra Kinlow, MTH, Public Member
Jackie Rowe, RN
Robert Salas, RN
Diane Sanders, BC, MN, RN
Mariann Williams, MPH, MSN, RN, ARNP
Susan Woods, PhD, RN, FAHA, FAAN

**Assistant Attorney General
Present**

Gail Yu, Assistant Attorney General

Staff Attorney present:

Marc Defreyn

Staff present:

Paula Meyer, MSN, RN, Executive Director
Kris McLaughlin, Secretary
Usrah Claar-Rice, MSN, RN, Nurse Education Manager
Chuck Cumiskey, BSN, MBA, RN, Nurse Practice Manager
Irene Oplinger, Discipline Manager
Terry West, Health Services Consultant

1. 8:45AM Opening — Dr. Judith D. Personett, Chair

- Call to order – Dr. Judith Personett, Chair, called the meeting to order on March 9, 2007 at 8:45AM.
- Introductions were made by the Nursing Care Quality Assurance Commission (NCQAC) members, staff and members of the audience.
- Order of the Agenda – Agenda item #5 will be heard after consent agenda item #2.
- Correspondence – There was no correspondence.
- Announcements – Dr. Personett announced that Ms. Lorrie Hodges verbally resigned her position on the NCQAC.

2. Consent Agenda - Dr. Personett – DISCUSSION/ACTION

Items listed under the consent agenda are considered routine agency matters and approved by a single motion of the Commission without separate discussion. If separate discussion is desired, that item will be removed from the consent agenda and placed on the regular business agenda.

A. Approval of minutes

- NCQAC Business Meeting (January 12, 2007)
- Nursing Program Approval Panel (NPAP)
- Continuing Competency

B. National Council of State Boards of Nursing (NCSBN) Correspondence.

C. Department of Health (DOH) correspondence.

D. Licensing statistics.

E. Center for Health Workforce Studies: What Happens to Registered Nurses? Whose Licenses Expire? An Exploratory Study in Washington State.

DECISION: A motion was made and passed to accept the consent agenda items.

3. Chair Report – Dr. Personett - DISCUSSION/ACTION

A. Resources needed and available for review of Disciplinary Cases: suggested texts, web sites, Nursing 2007 Drug Handbook resources.

DISCUSSION: Dr. Personett announced that the Nursing 2007 Drug Handbook and Taber's Medical Dictionary are available for those who are interested.

B. Disciplinary Process: discussion related to delays in process and potential improvements.

DISCUSSION: Dr. Personett lead a discussion on issues related to delays in the disciplinary process. Regarding Washington Health Professional Service (WHPS) cases, WHPS professionals determine eligibility for a contract with the program

A suggestion was made that it would be helpful to have a single tracking system since the commission members may receive multiple calls from multiple staff (staff attorney, compliance officer, sub-committee staff member). A face sheet with

- the priority assigned to the case,
- staff attorney assigned to the case
- the *suspend* date or date the case is due to be presented to a panel
- contact number of who can be called if they have questions.

If a respondent enters the WHPS program and signs a contract, the case can be closed and this is known as a unique closure. Staff has suggested that rather than delay the case until the Reviewing Commission Member's (RCM) charging panel, these could be presented to the weekly case management meeting for closure. There were concerns that the investigation on these cases needs to be completed prior to closure. There are incidences when the respondent has not been successful in WHPS and the case then needs to be referred for disciplinary action. The disciplinary action is dependent on the evidence collected at the time of entrance into the WHPS program.

Motion: A motion was made by Jackie Rowe and seconded by Robert Salas that any disciplinary cases brought to the NCQAC have the potential to be a unique closure, may be presented by disciplinary staff at the weekly case management meetings that includes a panel of three nurses and public member to decide whether the case should proceed with a unique closure.

4. ED Report – Paula Meyer - DISCUSSION/ACTION

A. Legislative Task Force

DECISION: The NCQAC members adjourned with their Assistant Attorney General to closed session to discuss their concerns with 2SHB1103.

DISCUSSION: Mr. Hagens requested the governor's position HB 1103 and addressing the discrepancies between GMAP and HB1103. The governor's position on the bill was not known at this time.

ACTION: The NCQAC made a motion that a letter from the NCQAC members will be sent to Legislators, Governor Gregoire and Secretary of the Department of Health (DOH) Mary Selecky expressing their concerns and opposition to HB 1103. The letter will be drafted by the Chair, Dr. Personett, reviewed by all NCQAC members and sent back directly to the chair. All Boards and Commissions will receive a copy of the letter. The motion was made by Ms. Mariann Williams and seconded by Rev. Ezra Kinlow.

B. Pro tem appointments and assignments

DISCUSSION: Ms. Paula Meyer explained that due to workload, additional pro tem members have been appointed. The NCQAC will assign the pro tem members to a charging panel and provide them orientation and mentors. The NCQAC pro tem members are appointed by Ms. Mary Selecky, Secretary of Department of Health. Dr. Personett will provide orientation in Moses Lake. Ms. Jan Claypool will provide orientation at Seattle University for those new members from the Westside. It was suggested that the annual report be included in the January 2008 newsletter.

MOTION: A motion was made and passed to approve the appointments of Ms. Linda Wrynn, Ms. Chris Henshaw, Ms. Sharon Parkman, and Ms. Cathy Dodson to review disciplinary cases. Ms. Marge Herzog will help with the annual report. Dr. Personett will be Ms. Wrynn's mentor and Ms. Wong will be Ms. Dodson's mentor.

C. New staff members and responsibilities

DISCUSSION: Ms. Meyer explained that Ms. Taylor Stair, licensing manager, promoted to a position within Health Professions Quality Assurance, Ms. Cece Zenker, licensing staff promoted within Department of Health, Ms. Connie Fraser, operations, retired, Ms. Jill Bean, licensing staff, promoted within Department of Health and Ms. Kim Sobol, practice and education staff, promoted outside the Department. Mr. Chuck Cumiskey, Nurse Practice Manager, has accepted a position at Good Samaritan Hospital in Puyallup. Diana Casler has accepted a position in HPQA#6 Operations. Due to the heavy workload in the disciplinary section the following changes have been made on a non permanent basis for one year:

- Irene Oplinger's duties will be RN/LPN intake/case management
- Mary Dale's duties will be NA intake/case management
- Donna Rogers will back up Mary Dale

Interviews are being conducted to hire two additional disciplinary staff.

D. Signature Authority

DISCUSSION: A request was made to the NCQAC members requesting delegation of signature authority to Ms. Irene Oplinger for Disciplinary issues similar to the signature authority delegated to Ms. Mary Dale.

ACTION: A motion was made and passed to assign signature authority to Ms. Irene Oplinger during her term as Disciplinary Manager.

5. Non-Surgical Cosmetic Procedures – Medical Quality Assurance Commission (MQAC) – Beverly Thomas - DISCUSSION/ACTION

DISCUSSION: The MQAC is in the process of gathering information regarding non-surgical cosmetic procedures for potential rules. Ms. Thomas and Dr. Selinger provided a power point presentation on non- surgical cosmetic procedures. The MQAC is seeking input from NCQAC as to effect of the potential rules would have on nursing professions and whether or not they would join the MQAC in developing rules or providing feedback and comments. Ms. Thomas explained the recent petition to modify and repeal the recently implemented laser rules. The MQAC denied the petition. The

Petitioner filed a restraining order in Thurston County Superior Court. The restraining order was denied and the rules upheld. A hearing is set for later in the year.

6. Nursing Commission News – Terry West - DISCUSSION/ACTION

DISCUSSION: Ms. West explained that the first edition of the Nursing Commission News newsletter was published and mailed in February. Ms. West received feedback on the first edition, reviewed potential improvements in the process and product, and began planning for the second issue. This is a pilot project between the NCQAC and the DOH. The criterion for approval and completion of the pilot was reviewed.

DISCUSSION: Suggestions were made to Ms. West to add Education information, student nurses wearing name tags for pictures, Mr. Cumiskey to prepare FAQ's for practice questions, male nurses' perspective from Mr. Rick Cooley, Mr. Dennis Brown, Mr. Robert Salas and Mr. Todd Herzog.

7. NurSYS® Data Base – Terry West - DISCUSSION/ACTION

DISCUSSION: Ms. West presented the progress on becoming a participating member board in the NurSYS® data base that is administered by the NCSBN. NurSYS® currently utilizes other states disciplinary data but Washington State restricts sharing of Social Security numbers and addresses. NurSYS® will reduce the manual paper work and the data entered will be shared with other states. Ms. West explained that data will be updated monthly and both active and inactive status license data will be included. The next step with NurSYS® will be to add licensing data.

8. NCSBN Business – DISCUSSION/ACTION

- **Awards Committee** – Dr. Personett, Ms. Mariann Williams and Ms. Paula Meyer reported on nominations.

DECISION: The decision was made to nominate the Washington State NCQAC for the Regulatory Achievement Award and Ms. Cheryl Payseno for the Meritorious Achievement Award.

- **Midyear meeting, New Orleans, LA, April 1-3, 2007**

DISCUSSION: Dr. Personett, Ms. Rhonda Taylor and Ms. Paula Meyer will be attending the midyear meeting in April. Ms. Meyer explained that select presentations of the meeting will be brought to the membership via web cast on Tuesday, April 3 and Wednesday, April 4. This will allow non-attending board members and staff the ability to listen to the Midyear Meeting from their own desktop. A copy of the sessions that are available and the instructions to participate in the webcast were provided in the NCQAC business meeting packets.

- **Transition from New Graduate to Practice, February 26, 2007** – Usrah Claar-Rice

DISCUSSION: Ms. Claar-Rice attended the national meeting describing transition programs for new registered nurses, hosted by NCSBN. A synopsis of the presentations was given, including the need for new graduates to have support systems up to one year from graduation. Data also showed that the new graduate who had a primary preceptor and who had preparation for specialty practice in transition programs were more competent and made fewer errors. Internship programs increased retention rates of new graduates.

- **APRN Summit, February 26, 2007**

DISCUSSION: Ms. Mariann Williams, Mr. Todd Herzog, Ms. Gail Yu reported on their attendance at the APRN Summit. The APRN Summit was hosted by NCSBN. There will be continued work on the APRN Vision Paper.

- **Delegates to Annual Meeting, Chicago, IL August 7-10, 2007**

DISCUSSION: Ms. Meyer led a discussion regarding qualifications for delegates and the House of Delegates business. All resolutions and business by the House of Delegates is completed during the annual meeting. Usually the Chair and the Executive Director attend and other NCQAC members may attend as possible. Because of the nature of the business, a certain amount of experience with the issues is required to make informed decisions on voting.

- **ACTION:** A motion was made and passed that the Chair and the Executive Director will be the delegates for the NCSBN's annual House of Delegates meetings. As travel and budget allow, another NCQAC member will attend the annual meeting. This will give more members experience with the process and issues in the future. This year Dr. Susan Woods, NCQAC member, will be attending the annual meeting since she is a member of the NCSBN Awards Panel committee.
- **Item Reviewer Sub-Committee**
DISCUSSION: Ms. Paula Meyer gave a report for Ms. Rhonda Taylor who is attending the NCLEX item reviewer sub-committee today. Currently there are eight nurses from Washington State who submit items for potential inclusion on the NCLEX examination. The items are formatted and then tested for reliability and validity. Once this is completed, the questions are then submitted to the Item Review Sub-Committee. The Item Review Sub-committee reviews for content and applicability to the role of new graduate in nursing. .
- **Awards Panel – Dr. Susan Woods**
DISCUSSION: Dr. Susan Woods is a member of the NCSBN awards panel. She reported that each individual nomination is subjected to a blind review by each Awards panel member. The panel then makes the final decision on award recipients. The panel members are not permitted to nominate award recipients, participate in the nomination process or write letters of support during their tenure on the panel. Dr. Woods explained that the panel members recuse themselves from both the blind review and the final decisions for the award recipient(s) in categories where their particular boards of nursing, board members or board staff are nominated, or in cases where they feel that they cannot be objective about the nominee. The awards include the R. Louise McManus Award, the Meritorious Service Award, the Regulatory Achievement Award, the Exceptional Contribution Award, the Exceptional Leadership Award and the Executive Officer Recognition Award. The award recipients will be notified prior to the NCSBN Annual Meeting and will be honored at the Annual Meeting.
- **Resolutions Committee – Dr. Personett**
DISCUSSION: Dr. Personett is the chair for the NCSBN Resolutions Committee. She explained her participation on the conference calls where they evaluate any resolution that will be going to delegate assembly. Any NCQAC member who would like to participate is urged to join this committee.

9. Nominating Committee – Rhonda Taylor, Dr. Susan Woods, Susan Wong –

DISCUSSION/ACTION

DECISION: The committee announced that the candidate for chair will be Dr. Judith Personett and the vice chair will be Ms. Susan Wong. The election will occur at the May meeting. New officers take their positions place at the July meeting.

10. Advisory Opinion/Interpretive Statement Procedure – Chuck Cumiskey -

DISCUSSION/ACTION

DISCUSSION: Mr. Cumiskey presented a draft procedure describing the intake, documentation and process used to consider advisory opinions/interpretive statements. The procedure includes records retention and rescinding of advisory opinions/interpretive statements.

ACTION: A motion was made and passed to accept the revised Development, Rescinding and Archiving of Interpretive Statements, Advisory Opinions, Policy Statements and Declaratory Orders. The motion was made by Mr. Bill Hagens and seconded by Ms. Diane Sanders.

11. Practice Guidelines – Robert Salas, Diane Sanders, Linda Batch, Chuck Cumiskey -

DISCUSSION/ACTION

DISCUSSION: The practice guidelines were developed and posted on the NCQAC web-site to assist nurses in determining safe practice. The practice guidelines require review on an annual basis to

assure the opinions and advice are congruent with current practice. The report was not ready at this time. The new Practice Manager will review and a report on the findings will be presented with recommendations no later than the July meeting.

12. NCLEX Test Plan – Rhonda Taylor - DISCUSSION/ACTION

DISCUSSION: The NCSBN is requesting all state boards of nursing to review the test plan for practical nurses. The test plan is reviewed every three years to determine its congruence with current practice of new LPNs and uses data from the job analysis. Ms. Taylor chairs an NPAP panel. The review of the test plan was assigned to her NPAP panel. Ms. Usrah Claar-Rice presented the review and recommendations to the NCQAC for consideration. A copy of the member board feedback form was included in the packet.

MOTION: A motion was made and passed to accept the test plan. Dr. Susan Woods made the motion and Ms. Williams seconded the motion.

13. Discussion Items –If items are selected for action and a task force assigned, the group will meet once, complete the charter and then come to the next meeting for decision to proceed.

DISCUSSION: Ms. Williams raised questions regarding the Health Professions investigation process. In the past the nurse investigators completed the investigations of nursing cases. Why do physicians assistants investigate for the MCAC? Ms. Williams asked how the public is being protected by removing the nurse from the investigative process. Mr. Hagens agreed with Ms. Williams and asked what the process was before and why it is now a pool? Ms. Meyer explained that two years ago the investigators were centralized with reorganization.

DECISION: The NCQAC requested that the Chief Investigator, Dave Magby, and Deputy Director, Patti Latsch, be invited to the May business meeting to discuss the Investigator process. All comments are to be sent to Ms. Meyer so she can give to Mr. Magby to discuss at the May meeting.

- **Dr. Personett call the executive session to order at 1:30PM on March 9, 2007.** The issue for discussion was HB 1103. The session was closed to all staff and audience. Refer to agenda item 4A for notes regarding the discussion. Dr. Personett concluded the executive session at 2:00PM.

LUNCH

- **1:00PM–Open Mic.**
Open mike is for public presentation of issues to the Nursing commission. Ms. Lois Hoell representing NorthWest Organization of Nurse Executives complimented Ms. Terry West on the newsletter. Ms. Hoell also discussed the need for audio equipment as it is difficult for the audience to hear without microphones and speakers.

14. Subcommittee Reports

A. Continuing Competency - Todd Herzog - DISCUSSION/ACTION

DISCUSSION: Mr. Chuck Cumiskey explained the Continuing Competency Integration Plan. As per **RCW 18.79.010** *the purpose of NCQAC is to regulate the competency and quality of professional health care providers under its jurisdiction by establishing, monitoring, and enforcing qualifications for licensing, consistent standards of practice, continuing competency mechanisms, and discipline. Rules, policies, and procedures developed by the NCQA must promote the delivery of quality health care to the residents for the State of Washington.* Mr. Cumiskey reported that the Continuing Competency committee met in February to review the plan and made the decision to bring it to the NCQAC in March for approval. The guiding principles of the plan are for Public Health – Always Working for a safer and healthier Washington and to improve and protect the health of the citizens of

Washington State. The Advisory Group Leaders (AGL) will be a critical part of the continuing competency planning and implementation. The NCQAC will request the Secretary of Health to appoint the advisory group leaders as Pro Tem NCQAC members related to the work they will accomplish with a continuing competency pilot project. The pro tem members will be members of the Continuing Competency sub committee so that they can report the progress for each Advisory Group. The AGL's primary assignment is to lead the project team to analyze their specific area of responsibility, develop an action plan via the guidance of NCQAC and Continuing Competency sub committee. Mr. Cumiskey showed the NCQAC a power point presentation regarding the North Carolina model. He explained that the committee is ready to move forward with the North Carolina model. It was suggested to request that Linda Burhans from North Carolina present their key learning's from their implementation of continuing competency over the past six years to the NCQAC in May.

Questions were raised from the audience whether the members of the AGL are from Long Term Care and why they are all from Western Washington. Mr. Cumiskey stated that anyone who desires to be on the AGL can send their name to Ms. Meyer. Mr. Cumiskey added that this is the prime time to gather information as there is no research at this time. A budget will need to be developed after they review the previous continuing competency.

MOTION: A motion was made to use most of the North Carolina model as a mechanism to move forward to meet RCW 18.79.010. The motion was presented by Mr. Cumiskey on behalf of the Continuing Competence subcommittee.

DISCUSSION: Mr. Cumiskey explained that they are using the paperwork from the North Carolina model and will be able to change as needed.

B. Discipline and Licensing - Jackie Rowe - DISCUSSION/ACTION

DISCUSSION: Ms. Rowe explained that the January and March discipline and licensing minutes will be available in the May packet.

CLOSING-Dr. Personett, chair, adjourned the NCQAC business meeting on March 9, 2007 at 2:35PM. Minutes were recorded by Kris McLaughlin.

Date approved _____

Chair: _____